

Southern District of New York

MBIA INSURANCE CORPORATION

Plaintiff

V.

FLAGSTAR ABS, LLC, FLAGSTAR BANK, FSB, and
FLAGSTAR CAPITAL MARKETS CORPORATION

Defendant

Civil Action No. 13 Civ.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* FLAGSTAR ABS, LLC
FLAGSTAR BANK, FSB
FLAGSTAR CAPITAL MARKETS CORPORATION

5151 Corporate Drive
Troy, Michigan 48098

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Erik Haas, Nicolas Commandeur, David Slarskey, Matthew Funk

Erik Haas, Nicolas Commandeur, David Slarskey, Matthew Funk
PATTERSON BELKNAP WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036-6710
Telephone: (212) 336-2000
Fax: (212) 336-2222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT

Date: JAN 11 2013

Signature of Clerk or Deputy Clerk:

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Civil Action No. 13 Civ _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: _____

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
MBIA INSURANCE CORPORATION,

Plaintiff,

-against-

FLAGSTAR ABS LLC, FLAGSTAR BANK, FSB,
and FLAGSTAR CAPITAL MARKETS
CORPORATION,

Defendants.
----- X

13 Civ. 262

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
 :ss.:
COUNTY OF NEW YORK)

David N. Slarskey, being duly sworn, deposes and says:

1. I am over 18 years of age, am not a party to the action, am employed by Patterson Belknap Webb & Tyler LLP, and am a resident of the State of New York, Kings County.

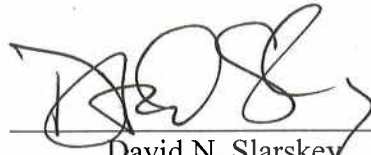
2. On January 11, 2013, I served the Summons in a Civil Case; Civil Cover Sheet; Complaint, and Rule 7.1 Statement, by email, upon the following:

Flagstar ABS LLC
5151 Corporate Drive
Troy, Michigan 48098

Flagstar Bank, FSB
5151 Corporate Drive
Troy, Michigan 48098

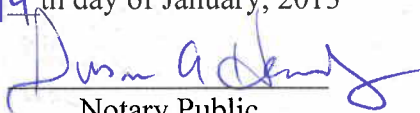
Flagstar Capital Markets Corporation
5151 Corporate Drive
Troy, Michigan 48098

3. Such service was completed by personally transmitting PDF copies of the aforementioned documents, pursuant to an agreement with defendants' counsel to Veronica Rendón, Arnold & Porter LLP, at Veronica.Rendon@aporter.com.



David N. Slarskey

Sworn to before me this
14th day of January, 2013



Notary Public

JUSANA HERNANDEZ
Notary Public, State of New York
No. 01HE4777983
Qualified in Richmond County
Certificate Filed in New York County
Commission Expires April 30, 2015